

**EAST AYRSHIRE COUNCIL****GOVERNANCE AND SCRUTINY COMMITTEE****MINUTES OF MEETING HELD ON FRIDAY 21 NOVEMBER 2008 AT 1000 HRS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Tom Cook, Willie Coffey, Helen Coffey, Maureen McKay, John Campbell, Alan Brown, Stuart Finlayson, Barney Menzies and Eric Ross.

**ATTENDING:** Fiona Lees, Chief Executive; Graham Short, Executive Director of Educational and Social Services; William Stafford, Executive Director of Neighbourhood Services; Alex McPhee, Executive Head of Finance and Asset Management; Martin Rose, Head of Human Resources; David Mitchell, Head of Legal, Regulatory and Procurement Services; Kay Gilmour, Acting Executive Head of Social Work; Julie McGarry, Administration Manager; Julie Jamison, Chief Accountant; Marlene Harkis, Community Care Manager; and Stuart Nelson, Administrative Officer.

**ALSO ATTENDING:** Peter Tait, Assistant Director; David Richardson, Audit Manager; and Mark Sims, Senior Accountant, all Audit Scotland.

**APOLOGY:** Councillor Drew Filson.

**CHAIR:** Councillor Tom Cook, Chair.

**CHAIR'S REMARKS**

1. The Chair welcomed Peter Tait, Assistant Director, Audit Scotland, who would be presenting Item 2 on the Agenda, accompanied by David Richardson, Audit Manager, and Mark Sims, Senior Accountant.

He also welcomed, as an observer, Margaret Anne Gilbert, Inspector from the Social Work Inspection Agency. The Agency were conducting an inspection of Social Work Services in East Ayrshire over the Autumn and early November 2008 and part of the fieldwork included observing a variety of Council meetings.

**PREVIOUS MINUTES**

2. There were submitted and approved as a correct record, the Minutes of Meeting of the Committee held on 24 October 2008 (circulated), subject to amendment of Item 6(iii) to include the following, namely:- "(c) to pursue with the Principals of Kilmarnock and Ayr Colleges, concerns expressed by Members at the meeting regarding the level of attendance by pupils undertaking vocational courses at the Colleges and the arrangements in force for monitoring same and feedback being provided to the Council."  
Councillors Maureen McKay and Eric Ross joined the meeting during consideration of the preceding item.

## 2.1 MATTERS ARISING

### 2.1.1 Furnishings for Netherthird Community Campus (Item 1.1.1, Page 518, 07/11)

The Chair confirmed that the Executive Head of Finance and Asset Management had circulated to all Members of the Committee information on the budget heading and amount from which the provision of furnishings at this facility would be met.

### 2.1.2 The Joint Inspection of Services to Protect Children and Young People in the East Ayrshire Council Area (Item 3, Page 519, 07/11)

The Chair confirmed that the Executive Director of Educational and Social Services had circulated to Members information on the timescales associated with the review of Mental Health Services which would seek to improve access to the Child and Adolescent Mental Health Service.

## AUDIT

### REPORT TO MEMBERS AND THE CONTROLLER OF AUDIT ON THE 2007/08 AUDIT

3. There was submitted a report dated October 2008 (circulated) by Audit Scotland which set out their main findings, summarising key outcomes from the 2007/08 Audit and the outlook for the period ahead.

In this connection, the Committee heard from (a) Peter Tait, Assistant Director, Audit Scotland, who highlighted the main findings, key outcomes and outlook for the coming period; and (b) the Chief Executive, who provided an update on progress in taking forward certain of the matters referred to in the "Key Messages" section of the report and the Action Plan at Appendix A; and advised that within the Action Plan, the target dates relative to Action Points 1 and 4 (Common Good Fund Assets and Equal Pay/ Single Status, respectively), should be 31 May 2009 rather than 31 May 2008 as indicated.

It was agreed:

- (i) to note the terms of the report which showed very positive outcomes over the range of areas covered by the Audit; and
- (ii) the further information provided by the Chief Executive.

The Chair thanked Peter Tait and his team at Audit Scotland for the work which they had carried out in preparation of the report and for their attendance at the meeting. Peter Tait then left the meeting along with the Chief Executive.

## SCRUTINY

### FINAL MEASUREMENTS ON WORKS CONTRACTS FOR THE PERIOD 1 APRIL TO 31 OCTOBER 2008

4. There was submitted a report dated 6 November 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided, for information, details of final measurements for works contracts.

It was agreed:

- (i) that future reports of this type incorporate the original estimated cost of the contracts featured; and

- (ii) otherwise, to note the terms of the report.

### **CONCLUDED PROPERTY TRANSACTIONS**

5. There was submitted a joint report dated 12 November 2008 (circulated) by the Executive Head of Finance and Asset Management and the Solicitor to the Council which provided, for information, details of disposals and acquisitions by the Council of land and buildings which had been concluded during the six month period from 1 April to 30 September 2008, with the exception of Council houses sold in terms of the Right to Buy legislation contained within the Housing (Scotland) Act 1987, as amended.

It was agreed:

- (i) that future reports of this kind include, where relevant, the area of ground acquired or disposed of;
- (ii) as advised by the Head of Legal, Procurement and Regulatory Services, that the date of sale for the property at 8 Wyvis Gardens, Kilmarnock was 31 July 2008 rather than 31 July 1985 as indicated; and
- (iii) otherwise, to note the terms of the report.

### **EMPLOYEE STATISTICAL INFORMATION**

6. There was submitted a report dated 6 November 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which provided employee statistics, including Staffing Watch and Absence for the period 1 July to 30 September 2008.

It was agreed:

- (i) that the Executive Director of Educational and Social Services would report back to this Committee and also Cabinet, following receipt of national guidance on application of the appropriate legislation, in relation to the employment of retired teachers aged 65 or over as supply teachers;
- (ii) to note that, in future reports and as the result of refinements in defining reasons for absence, the level of "Other Reasons" as set out in Table 4 of Appendix 7, was expected to decline;
- (iii) that future reports of this kind provide the following additional information, viz:- referrals to Occupational Health cross referenced by percentage reasons for absence; reasons for leaving: domestic circumstances, pay/conditions and working conditions cross referenced with level of absence prior to leaving;
- (iv) to note, as advised by the Head of Legal, Procurement and Regulatory Services, that Section 6.1 of the report should show one final warning having been issued within the Department of Corporate Support rather than "nil" as indicated; and
- (v) otherwise, to note the terms of the report.

### **OUTWITH PLACEMENTS**

7. There was submitted a report dated 13 November 2008 (circulated) by the Executive Director of Educational and Social Services which provided a summary of the

Department of Educational and Social Services' use of Outwith Authority Placements up to 31 October 2008.

It was agreed:

- (i) that the Executive Director of Educational and Social Services provide future reports at six monthly intervals on this aspect of provision;
- (ii) that the Executive Director of Educational and Social Services take whatever action is necessary to ensure that available resources are matched to established needs in this provision; and
- (iii) otherwise, to note the contents of the report.

#### **COMMUNITY CARE OUTCOMES SUBMISSION 2008**

8. There was submitted a report dated 7 November 2008 (circulated) by the Executive Director of Educational and Social Services which advised on the Community Care Outcomes Submission 2008 and the subsequent feedback provided by the Scottish Government.

It was agreed:

- (i) to note the strong performance of the East Ayrshire Joint Future Partnership, and that a further report thereon be submitted to Committee in due course; and
- (ii) otherwise, to note the terms of the report.

#### **FINANCE AND SERVICE STRATEGY REPORT TO PERIOD 6 (21 SEPTEMBER 2008)**

9. There was submitted a report dated 7 November 2008 (circulated) by the Executive Head of Finance and Asset Management which advised of the projected financial position for the year based on expenditure to 21 September 2008 (Period 6) and information provided by Executive Directors.

It was agreed:

- (i) that the Executive Director of Neighbourhood Services would provide information to Members on the reasons for the increase in the number of void weeks for Council houses between Period 6, 2007 and Period 6, 2008;
- (ii) that the Executive Head of Finance and Asset Management would provide information to Members on the inclusion of income from the Whitelees Wind Farm within the Employability Balance; and
- (iii) otherwise, to note the terms of the report.

Councillor Ross left the meeting during consideration of the above item.

The meeting terminated at 1141 hrs.